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PATENT  
Attorney Docket No. 80168-0105  
Client Matter No. P5080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: )  
Mark A. KAMPE et al. )  
Application No.: 09/845,770 ) Art Unit: 2161  
Filed: May 2, 2001 ) Examiner: Not Yet Determined  
For: METHOD AND SYSTEM FOR )  
ACHIEVING HIGH )  
AVAILABILITY IN A )  
NETWORKED COMPUTER )  
SYSTEM )

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Technology Center 2100

Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or

before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies any listed document as "prior art" against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any listed document, that may be applied against the claims of the present application.

Each document listed in this Information Disclosure Statement was cited in the European Search Report dated March 7, 2002 (a copy of which is attached) from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.

**Attorney Docket No. 80168-0105**  
**Client Matter No. 5080**  
**Application No. 09/845,770**

50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**  
**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: March 22, 2002

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